

REMARKS

Claims 1-25 have been improperly rejected over Lewis and Lewis in view of Oh Yang. The independent claims of the present application are directed to a smart card and the use of a smart card with a software defined radio that selects and enables one of several different communication schemes. Independent Claim 1 recites *inter alia* “wherein the one of the plurality of communication schemes is selected and enabled by the processor based on information from a user’s smartcard.” Independent Claim 11 recites *inter alia* “providing a smartcard containing configuration information; retrieving the configuration information from the smartcard; and, configuring the SDR based on the configuration information”. Independent Claim 16 recites *inter alia* “retrieving configuration instructions from a smartcard containing a specific configuration.” Independent Claim 19 recites *inter alia* “a smart card reader, wherein information retrieved by the smart card reader designates the respective programs for the IF section and the baseband section.” Independent Claim 24 recites *inter alia* receiving configuration information from a smart card in communication with the radio”

PRIOR ART

Lewis is directed to a signal processor with a multimode receiver adapted to receive information relating to a plurality of service modes such as W-CDMA and GSM. Lewis discloses a subscriber identity module (SIM) card which as the name implies

identifies the subscriber. While Lewis discloses a configuration controller for configuring the reconfigurable logic means to support the service modes, Lewis does not receive mode selection or configuration information from the smart card. In fact in paragraph 43 Lewis states “when an alternative mode is required, such as at system handover time or as a result of external events, the processor will reconfigure the reconfigurable logic as to be able to operate in the alternative modes”, no mention is made of configuration information being retrieved from a SIM card, nor selection of a communication scheme from information provided by the SIM card. The reconfiguration is based on external events, such as network support, available channels and network operational characteristics. Lewis even discloses testing alternative modes, prior to switching. Clearly, Lewis does not use a SIM card to select and enable a communication scheme, to provide configuration information, or to provide configuration instructions, to designate respective programs for the IF section.

Oh Yang discloses wireless computer peripheral interface with the capability of identification. Oh Yang further describes the function of a SIM card in paragraph [0006]: “Its major function is assuring the identification for the demand of the linkage between the mobile communication device and network”.

The SIM card described by both Lewis and Oh Yang clearly does not meet the limitations of the smart card of the present claims.

Claim Rejection under 35 USC §102

Claims 1-5, 7-12, 14-21 and 23-24 have been improperly rejected as being anticipated by Lewis.

The Office's reliance on the SIM card of Lewis to meet the smart card limitations of the present claims is unfounded. Lewis does not show, teach or suggest the use of configuration information from the SIM card to reconfigure the SDR, or selection information from the SIM to select the communication scheme as required in the claims. Lewis cannot anticipate the claims and the rejection must be withdrawn.

Rejection under 35 USC §103

Claims 6, 13, 22 and 25 have been improperly rejected as being unpatentable over Lewis in view of Oh Yang.

Oh-Yang discloses a SIM card as described previously, the SIM card of Oh Yang does not obviate the deficiencies of Lewis with respect to Claims 1, 11, 19 and 25 from which Claims 6, 13, 22 and 25 depend. Therefore, Lewis and Oh Yang cannot render the claims unpatentable and the rejection must be withdrawn.

CONCLUSION

The SIM card of both Lewis and Oh Yang does not meet the limitations in the present claims and thus Lewis and Oh Yang can not form the basis of a rejection. The Applicant requests allowance of the Application including Claims 1-25.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark C. Comtois', written over a horizontal line.

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